
Changes to legislation: There are currently no known outstanding effects for the Prosecution of Offences Act 1985, Part II. (See end of Document for details)

SCHEDULES

SCHEDULE 1

MINOR AND CONSEQUENTIAL AMENDMENTS

PART II

AMENDMENTS RELATING TO PART II

The Criminal Justice Act 1967 (c. 80)

- 6 In section 32 of the Criminal Justice Act 1967 (which provides that the costs of a medical practitioner reporting to a court are to be recoverable as witness costs), in subsection (2)—
- (a) the words from “and ”, where it first appears, to “funds ”, and the words from “and ”, where it next appears, to the end of the subsection, shall be omitted; and
 - (b) for the words “they apply ” there shall be substituted “it applies ”.

The Administration of Justice Act 1970 (c. 31)

- 7 (1) Schedule 9 to the Administration of Justice Act 1970 shall be amended as follows.
- (2) After paragraph 1 there shall be inserted—
- “1A Where a magistrates’ court makes an order as to costs to be paid by the accused in exercise of any power in that behalf conferred by regulations made under section 19(1) of the Prosecution of Offences Act 1985.”
- (3) In paragraph 4, for the words “orders him to pay the whole or part of the costs incurred in or about the prosecution and conviction ” there shall be substituted “makes an order as to costs to be paid by him ”.
- (4) After paragraph 4 there shall be inserted—
- “4A Where the Crown Court makes an order as to costs to be paid by the accused in exercise of any power in that behalf conferred by regulations made under section 19(1) of the Prosecution of Offences Act 1985.”
- (5) For paragraphs 6 and 7 there shall be substituted the following—
- “6 Where the criminal division of the Court of Appeal makes an order as to costs to be paid by—
- (a) an appellant;
 - (b) an applicant for leave to appeal to that court; or
 - (c) in the case of an application for leave to appeal to the House of Lords, an applicant who was the appellant before the criminal division.”.

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- (6) In paragraph 9, for “section 18 of the Costs in Criminal Cases Act 1973 ” there shall be substituted “regulations made under section 19(5) of the Prosecution of Offences Act 1985 ”.
- (7) For paragraph 13 there shall be substituted the following—
- “13 Where a magistrates’ court makes an order as to costs to be paid by the prosecutor in exercise of any power in that behalf conferred by regulations made under section 19(1) of the Prosecution of Offences Act 1985.”
- (8) Paragraph 15 shall be omitted.
- (9) After paragraph 16 there shall be inserted—

“ Costs awarded by Court of Appeal (criminal division)

- 16A Where the criminal division of the Court of Appeal makes an order as to costs to be paid by the respondent or, in the case of an application for leave to appeal to the House of Lords, an applicant who was the respondent before the criminal division, and does so in exercise of any power in that behalf conferred by regulations made under section 19(1) of the Prosecution of Offences Act 1985.”

The Criminal Justice Act 1972 (c. 71)

F18

Textual Amendments

- F1** Sch. 1 para. 8 omitted (1.10.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 7 para. 10](#) (with [Sch. 7 Pt. 4](#)); S.I. 2012/2412, art. 2(g)

The [F2Senior Courts Act 1981] (c. 54)

Textual Amendments

- F2** Words in Act substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), [Sch. 11 para. 1\(2\)](#); S.I. 2009/1604, art. 2(d)

- 9 In section 52(3) of the [F2Senior Courts Act 1981] (ambit of Crown Court rules in relation to awards of costs) for the words “Costs in Criminal Cases Act 1973 ” there shall be substituted “Part II of the Prosecution of Offences Act 1985 ” and for the words from “is ” to the end of the subsection there shall be substituted “in relation to costs of proceedings in the Crown Court, is contained in section 18 of that Act or in regulations made under section 19 of that Act (awards of party and party costs in criminal proceedings) ”.
- 10 In section 52(4) of that Act, for the words “Costs in Criminal Cases Act 1973 ” there shall be substituted “Part II of the Prosecution of Offences Act 1985 ”.

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